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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOSEPH DOWNEY WADE,

Plaintiff,

v.

STATE OF OREGON; UNIVERSITY OF
OREGON; and JOHN MOSELEY, in his
official and individual capacities,

Defendants.

Case No. 01-6178-HO

AFFIDAVIT OF MELINDA GRIER

STATE OF OREGON)
) ss.
County of Lane)

I, Melinda Grier, being first duly sworn, depose and say:

1. I am the General Counsel for the University of Oregon. I have held that position since September 1998.
2. I have personal knowledge of all the facts testified to herein.

3. The position of Vice President of Student Affairs was re-established in June 2001 after having been abolished some years previously.

4. Soon thereafter, the University undertook a national search in an attempt to find a suitable candidate to fill that vacancy. This search included the following:

- A. Posting the position on the University of Oregon's HR website;
- B. Publishing the vacancy in relevant publications;
- C. Forming a search committee to coordinate recruitment efforts; and
- D. Hiring a national search firm to look for potential candidates.

5. This national search failed to find a suitable candidate.

6. After this failed search, the University decided to appoint an interim Vice President of Student Affairs on a temporary basis rather than let the post continue to remain vacant.

7. The administration then requested that the Office of Affirmative Action and Equal Opportunity grant a waiver of the affirmative action hiring procedures in order that Anne Leavitt, who had been serving as Associate Vice President for Student Affairs, could be appointed Interim Vice President of Student Affairs. This request was granted.

8. In July 2002, Anne Leavitt was appointed Interim Vice President of Student Affairs.

9. In June 2005, Anne Leavitt resigned as Interim Vice President of Student Affairs in order to pursue employment outside the University.

10. The administration then requested that the Office of Affirmative Action and Equal Opportunity grant a waiver of the affirmative action hiring procedures in order that Michael Eyster could be appointed Interim Vice President of Student Affairs. This request was granted.

11. In July 2005, Michael Eyster was appointed Interim Vice President of Student Affairs.


13. Between approximately December of 2006 and July of 2007 the University conducted a second national search for candidates to fill the position of Vice President of Student Affairs.

14. Dr. Holmes applied for the position of Vice President of Student Affairs during this second recruitment process.

15. At the conclusion of this second recruitment process, Dr. Holmes was hired as Vice President of Student Affairs.

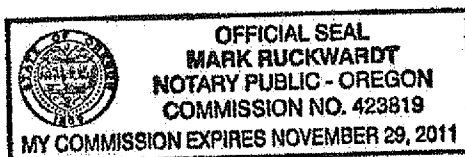
FURTHER AFFIANT SAITH NOT


DATED this 4th day of August, 2008.



MELINDA GRIER

SUBSCRIBED AND SWORN to before me this 4th day of August, 2008.






Notary Public for Oregon
My Commission Expires: November 29, 2011

CERTIFICATE OF SERVICE

I certify that on August 4, 2008, I served the foregoing AFFIDAVIT OF MELINDA GRIER upon the parties hereto by the method indicated below, and addressed to the following:

Suzanne Bradley Chanti
Chanti & Middleton, P.C.
245 East 4th Avenue
Eugene, OR 97401 97405
Of Attorneys for Plaintiff

☐ HAND DELIVERY
☐ MAIL DELIVERY
☐ OVERNIGHT MAIL
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